

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BOSKO KANTE,

Plaintiff/s,

v.

DUA LIPA, *et al.*,

Defendant/s.

Case No. 2:23-cv-06186-CV (PD)

**ORDER SETTING SCHEDULING
CONFERENCE**

Date: September 26, 2025

Time: 1:30 p.m.

Courtroom: 10B

**PLEASE READ THIS ORDER CAREFULLY. IT CONTROLS THIS
ACTION AND DIFFERS IN SOME RESPECTS FROM THE LOCAL
RULES. WHEN CONSULTING THIS ORDER, PLEASE BE SURE TO USE
THE MOST UPDATED VERSION LOCATED ON JUDGE VALENZUELA'S
WEBPAGE.¹**

¹ Judge Valenzuela's webpage can be found at
<https://www.cacd.uscourts.gov/honorable-cynthia-valenzuela>.

1 **I. Introduction**

2 This case has been assigned to United States District Judge Cynthia
3 Valenzuela. This matter is set for a Scheduling Conference on the above date in
4 Courtroom 10B of the First Street Courthouse, 350 West 1st Street, Los Angeles,
5 CA, 90012. If Plaintiff has not already served the operative complaint on all
6 Defendants, Plaintiff shall do so promptly and shall file proofs of service of the
7 summons and complaint within three (3) days thereafter. *See* Fed. R. Civ. P. 4; Local
8 Rule 4. Defendants also shall timely serve and file their responsive pleadings and
9 comply with the requirements of Local Rule 5-3.2. At the Scheduling Conference,
10 the Court will set a date by which motions to amend the pleadings or add parties
11 must be heard.

12 The Scheduling Conference will be held pursuant to Fed. R. Civ. P. 16(b).
13 The parties are reminded of their obligations under Fed. R. Civ. P. 26(a)(1) to make
14 initial disclosures without awaiting a discovery request, and under Fed. R. Civ. P.
15 26(f) to confer regarding a discovery plan at least twenty-one (21) days before the
16 Scheduling Conference. The Court allows discovery to commence as soon as the
17 first answer or motion to dismiss is filed. The parties should note that, unless
18 otherwise ordered, **discovery shall not be stayed** while any motion is pending,
19 including any motion to dismiss, motion for protective order or motion to stay. **The**
20 **parties are directed to conduct any necessary discovery as soon as possible, as**
21 **the Court is not inclined to grant any extensions of the discovery or other case-**
22 **related deadlines.**

23 Counsel and parties appearing *pro se* (without an attorney) are expected to
24 comply with the Federal Rules of Civil Procedure and all Local Rules concerning
25 discovery. Whenever possible, the Court expects counsel to resolve discovery
26 disputes among themselves in a courteous, reasonable, and professional manner. The
27 Court expects that counsel will adhere strictly to the Central District of California's
28 Civility and Professionalism Guidelines. *See*

<https://www.cacd.uscourts.gov/attorneys/admissions/civility-and-professionalism-guidelines>.

II. Joint Rule 26(f) Report

The Joint Rule 26(f) Report must be filed at least fourteen (14) days before the Scheduling Conference. The Court does not require and discourages the submission of courtesy chambers copies of Joint Reports that have been electronically filed.

The Joint Rule 26(f) Report shall be drafted by Plaintiff's counsel or, if Plaintiff is appearing *pro se*, Defendants' counsel (unless the parties agree otherwise) but shall be submitted and signed jointly. "Jointly" means a single report regardless of the number of separately represented parties involved in the case. The Joint Rule 26(f) Report shall specify the date of the Scheduling Conference on the caption page and shall report on all matters described below as specified by Fed. R. Civ. P. 26(f) and Local Rule 26:

- a. Statement of the Case: A short synopsis (not to exceed two pages) of the main claims, counterclaims, and affirmative defenses.
- b. Subject Matter Jurisdiction: A statement of the specific basis of federal jurisdiction, including supplemental jurisdiction. If there is a federal question, cite the federal law under which the claim arises.
- c. Legal Issues: A brief description of the key legal issues, including any unusual substantive, procedural, or evidentiary issues.
- d. Parties and Evidence: A list of parties, percipient witnesses, and key documents or other evidence concerning the main issues in the case. For conflict purposes, corporate parties must identify all subsidiaries, parents, and affiliates.
- e. Damages: The realistic range of provable damages.
- f. Insurance: Whether insurance coverage exists, the extent of coverage, and whether there has been or will be a reservation of rights.

- 1 g. Motions: A statement of the likelihood of motions seeking to add other
- 2 parties or claims, file amended pleadings, transfer venue, or challenge
- 3 the Court's jurisdiction.
- 4 h. Dispositive Motions: A description of the issues or claims any party
- 5 believes may be determined by motion to dismiss or motion for
- 6 summary judgment.
- 7 i. Manual for Complex Litigation: Whether all or part of the procedures of
- 8 the Manual for Complex Litigation should be utilized.
- 9 j. Status of Discovery: A discussion of the present state of discovery,
- 10 including a summary of pending and completed discovery, and any
- 11 current or anticipated disputes.
- 12 k. Discovery Plan: A detailed discovery plan, as contemplated by Fed. R.
- 13 Civ. P. 26(f). State what, if any, changes in the disclosures under Fed. R.
- 14 Civ. P. 26(a) should be made, the subjects on which discovery may be
- 15 needed and whether discovery should be conducted in phases or
- 16 otherwise be limited, whether applicable limitations should be changed
- 17 or other limitations imposed, and whether the Court should enter other
- 18 orders. A statement that discovery will be conducted as to all claims and
- 19 defenses or other vague description is not acceptable.
- 20 l. Discovery Cut-off: A proposed discovery cut-off date governing the
- 21 *completion* of all fact discovery, including resolution of all discovery
- 22 motions.
- 23 m. Expert Discovery: Proposed dates for initial and rebuttal expert witness
- 24 disclosures and expert discovery cut-off under Fed. R. Civ. P. 26(a)(2).
- 25 n. Settlement Conference / Alternative Dispute Resolution ("ADR"): A
- 26 statement of what settlement negotiations have occurred, excluding any
- 27 statement of the terms discussed. If a Notice to Parties of Court-Directed
- 28 ADR Program (Form ADR-08) was filed in this case, the Court will

1 refer it to the Magistrate Judge, the Court Mediation Panel, or to private
2 mediation at the parties' expense. The parties must state their preference
3 in the Joint Rule 26(f) Report. The Court will exercise its discretion to
4 select an ADR option for the parties if they fail to state a preference. No
5 case will proceed to trial unless all parties, including an officer with full
6 settlement authority for corporate parties, have appeared personally at an
7 ADR proceeding.

- 8 o. Trial Estimate: A realistic estimate, in days, of the Court time required
9 for trial and whether trial will be by jury or by the Court. Each side
10 should specify by number, not by name, the number of witnesses it
11 contemplates calling. If the time estimate for trial given in the Joint Rule
12 26(f) Report exceeds four court days, counsel must address in detail in
13 the Report the basis for the estimate.
- 14 p. Trial Counsel: The names of the attorneys who will try the case.
- 15 q. Independent Expert or Master: Whether the Court should consider
16 appointing a master pursuant to Fed. R. Civ. P. 53 or an independent
17 scientific expert at the parties' expense. The appointment of a master
18 may be appropriate in cases where the parties anticipate substantial
19 discovery disputes, numerous claims to be construed in connection with
20 a summary judgment motion, a lengthy *Daubert* hearing, or a resolution
21 of a difficult computation of damages.
- 22 r. Schedule Worksheet: The parties must make every effort to agree on all
23 pretrial and trial dates and must complete the appropriate Schedule of
24 Pretrial and Trial Dates Worksheet ("Worksheet") and include it with
25 their Joint Rule 26(f) Report. The entries in the "Weeks Before FPTC"
26 column reflect what the Court believes is appropriate for most cases and
27 will allow the Court to rule on potentially dispositive motions
28 sufficiently in advance of the Final Pretrial Conference. However, the

1 parties may propose other dates by which the key requirements must be
2 completed. Each date should be stated as month, day, and year, *e.g.*,
3 1/15/2020. The Final Pretrial Conference and other hearings shall be
4 held on Fridays at 1:30 p.m. Other deadlines that do not involve the
5 Court can be any day of the week. The parties must avoid holidays. The
6 Court may order different dates from those the parties propose. The
7 discovery cut-off date is the last day by which all depositions must be
8 completed, responses to previously served written discovery must be
9 provided, and motions concerning discovery disputes must be heard. The
10 cut-off date for motions is the last date on which motions must be heard,
11 not filed. If the parties would like the Court to set dates in addition to
12 those listed on the Worksheet, they may so request by separate
13 Stipulation and Proposed Order. Separate Worksheets are provided for
14 class actions, patent cases, cases under the Freedom of Information Act
15 (“FOIA”), and cases for benefits under the Employee Retirement
16 Income Security Act of 1974 (“ERISA”).

- 17 s. Other Issues: A statement of any other issues affecting the status or
18 management of the case, including unusually complicated technical or
19 technological issues, disputes over protective orders, extraordinarily
20 voluminous document production, non-English speaking witnesses,
21 reasonable ADA accommodations, discovery in foreign jurisdictions, the
22 applicability of foreign law, the advanced age or health of parties or key
23 witnesses, and any proposals concerning severance, bifurcation, or other
24 ordering of proof.

25 The Joint Rule 26(f) Report should set forth the above-described information
26 under section headings corresponding to those in this Order.

III. Scheduling Conference

The Court may vacate the Scheduling Conference and issue the Scheduling Order based solely on the parties' Joint Rule 26(f) Report pursuant to Fed. R. Civ. P. 16(b). If the Court elects to conduct a scheduling conference, lead trial counsel must attend unless excused by the Court for good cause before the conference.

The failure to submit a joint report in advance of the Scheduling Conference or to attend the Scheduling Conference may result in the dismissal of the action, the striking of the Answer and entering a default, and/or the imposition of sanctions. A request to continue the Scheduling Conference will be granted only for good cause.

IV. Notice to be Provided by Counsel

Plaintiff's counsel or, if Plaintiff is appearing *pro se*, Defendant's counsel, shall provide this Order to any parties who first appear after the date of this Order and to parties who are known to exist but have not yet entered appearances.

V. Disclosures to Clients


Counsel are ordered to deliver to their clients a copy of this Order and the Court's forthcoming Scheduling and Trial Order, which will contain the pretrial and trial schedule for this action.

VI. Court's Website

This and all other generally applicable Orders of this Court are available on Judge Valenzuela's webpage: <https://www.cacd.uscourts.gov/honorable-cynthia-valenzuela>. The Local Rules are also available on the Court's website: <https://www.cacd.uscourts.gov/court-procedures/local-rules>.

IT IS SO ORDERED.

Dated: July 22, 2025


HON. CYNTHIA VALENZUELA
UNITED STATES DISTRICT JUDGE

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STANDARD SCHEDULE OF PRETRIAL AND TRIAL DATES WORKSHEET

Please complete this worksheet jointly and file it with your Joint Rule 26(f) Report.
The parties must make every effort to agree on dates or the Court will set them.

Case No.	Case Name:		
Trial and Final Pretrial Conference Dates		Pl(s)' Date mm/dd/yyyy	Def(s)' Date mm/dd/yyyy
Check one: <input type="checkbox"/> Jury Trial or <input type="checkbox"/> Bench Trial [Tuesday at 9:00 a.m. within 13–16 months of Scheduling Conference] Estimated Duration: _____ Days			
Final Pretrial Conference ("FPTC") [L.R. 16], Hearing on Motions in Limine [Friday at 1:30 p.m. at least 17 days before trial]			
Event Note: Hearings shall be on Fridays at 1:30 p.m. Other dates can be any day of the week.	Time Computation	Pl(s)' Date mm/dd/yyyy	Def(s)' Date mm/dd/yyyy
Last Date to <u>Hear</u> Motion to Amend Pleadings or Add Parties [Friday]	91 days after scheduling conference		
Fact Discovery Cut-Off [Friday] (no later than deadline for filing dispositive motion)	21 weeks before FPTC		
Expert Disclosure (Initial)	20 weeks before FPTC		
Expert Disclosure (Rebuttal)	18 weeks before FPTC		
Expert Discovery Cut-Off	16 weeks before FPTC		
Last Date to <u>Hear</u> Motions [Friday] • Joint Brief due at least 28 days before hearing • Supplemental Memoranda (if any) due 14 days before hearing	9 weeks before FPTC		
Deadline to Complete Settlement Conference [L.R. 16-15] <u>Select one:</u> <input type="checkbox"/> 1. Magistrate Judge (with Court approval) <input type="checkbox"/> 2. Court Mediation Panel <input type="checkbox"/> 3. Private Mediation	5 weeks before FPTC		
<u>Trial Filings</u> (first round) [Friday] • Motions <i>in Limine</i> • Memoranda of Contentions of Fact and Law [L.R. 16-4] • Witness Lists [L.R. 16-5] • Joint Exhibit List [L.R. 16-6.1] • Joint Status Report Regarding Settlement • Proposed Findings of Fact and Conclusions of Law [L.R. 52] (bench trial only) • Declarations Containing Direct Testimony, if ordered (bench trial only)	4 weeks before FPTC		
<u>Trial Filings</u> (second round) [Friday] • Oppositions to Motions <i>in Limine</i> • Joint Proposed Final Pretrial Conference Order [L.R. 16-7] • Joint Agreed Upon Proposed Jury Instructions (jury trial only) • Disputed Proposed Jury Instructions (jury trial only) • Joint Proposed Verdict Forms (jury trial only) • Joint Proposed Statement of the Case (jury trial only) • Proposed <i>Voir Dire</i> Questions, if any (jury trial only) • Evidentiary Objections to Declarations of Direct Testimony (bench trial only)	2 weeks before FPTC		

CLASS ACTION SCHEDULE OF PRETRIAL AND TRIAL DATES WORKSHEET

Please complete this worksheet jointly and file it with your Joint Rule 26(f) Report.
The parties must make every effort to agree on dates or the Court will set them.

Case No.	Case Name:		
Trial and Final Pretrial Conference Dates		Pl(s)' Date mm/dd/yyyy	Def(s)' Date mm/dd/yyyy
Check one: <input type="checkbox"/> Jury Trial or <input type="checkbox"/> Bench Trial Estimated Duration: _____ Days		To be set by the Court	To be set by the Court
Final Pretrial Conference ("FPTC") [L.R. 16], Hearing on Motions in Limine		To be set by the Court	To be set by the Court
Event Note: Hearings shall be on Fridays at 1:30 p.m. Other dates can be any day of the week.	Time Computation	Pl(s)' Date mm/dd/yyyy	Def(s)' Date mm/dd/yyyy
Last Date to <u>Hear</u> Motion to Amend Pleadings or Add Parties [Friday]	91 days after scheduling conference		
Last Date to <u>Hear</u> Motion for Class Certification [Friday]	39 weeks after scheduling conference		
Fact Discovery Cut-Off [Friday] (no later than deadline for filing dispositive motion)	68 weeks after scheduling conference		
Expert Disclosure (Initial)	69 weeks after scheduling conference		
Expert Disclosure (Rebuttal)	71 weeks after scheduling conference		
Expert Discovery Cut-Off	73 weeks after scheduling conference		
Last Date to <u>Hear</u> Motions [Friday] • Joint Brief due at least 28 days before hearing • Supplemental Memoranda (if any) due 14 days before hearing	To be set by the Court	To be set by the Court	To be set by the Court
Deadline to Complete Settlement Conference [L.R. 16-15] <u>Select one:</u> <input type="checkbox"/> 1. Magistrate Judge (with Court approval) <input type="checkbox"/> 2. Court Mediation Panel <input type="checkbox"/> 3. Private Mediation	84 weeks after scheduling conference		
<u>Trial Filings</u> (first round) [Friday] • Motions <i>in Limine</i> • Memoranda of Contentions of Fact and Law [L.R. 16-4] • Witness Lists [L.R. 16-5] • Joint Exhibit List [L.R. 16-6.1] • Joint Status Report Regarding Settlement • Proposed Findings of Fact and Conclusions of Law [L.R. 52] (bench trial only) • Declarations Containing Direct Testimony, if ordered (bench trial only)	To be set by the Court	To be set by the Court	To be set by the Court
<u>Trial Filings</u> (second round) [Friday] • Oppositions to Motions <i>in Limine</i> • Joint Proposed Final Pretrial Conference Order [L.R. 16-7] • Joint Agreed Upon Proposed Jury Instructions (jury trial only) • Disputed Proposed Jury Instructions (jury trial only) • Joint Proposed Verdict Forms (jury trial only) • Joint Proposed Statement of the Case (jury trial only) • Proposed <i>Voir Dire</i> Questions, if any (jury trial only) • Evidentiary Objections to Declarations of Direct Testimony (bench trial only)	To be set by the Court	To be set by the Court	To be set by the Court

PATENT ACTION SCHEDULE OF PRETRIAL AND TRIAL DATES WORKSHEET

Please complete this worksheet jointly and file it with your Joint Rule 26(f) Report.
The parties must make every effort to agree on dates or the Court will set them.

Case No.	Case Name:		
Trial and Final Pretrial Conference Dates		Pl(s)' Date mm/dd/yyyy	Def(s)' Date mm/dd/yyyy
Check one: <input type="checkbox"/> Jury Trial or <input type="checkbox"/> Bench Trial [Monday at 8:15 a.m. within 15–21 months of Scheduling] Estimated Duration: _____ Days			
Final Pretrial Conference ("FPTC") [L.R. 16], Hearing on Motions in Limine [Friday at 1:30 p.m. at least 17 days before trial]			
Event Note: Hearings shall be on Fridays at 1:30 p.m. Other dates can be any day of the week.	Time Computation	Pl(s)' Date mm/dd/yyyy	Def(s)' Date mm/dd/yyyy
Last Date to <u>Hear</u> Motion to Amend Pleadings or Add Parties [Friday]	91 days after scheduling conference		
Deadline to Serve Infringement Contentions & Related Disclosures [Patent Rules 2(a), (b)]	14 days after scheduling conference		
Deadline to Serve Invalidity Contentions & Related Disclosures [Patent Rules 2(c), (d)]	59 days after scheduling conference		
Deadline to Exchange Proposed Terms for Construction [Patent Rule 3(a)]	14 days after deadline to serve Invalidity Contentions; 42 days after deadline to serve Infringement Contentions (if validity is not at issue); or 14 days after service of Answer in declaratory judgment actions not based on validity).		
Deadline to Exchange Preliminary Claim Constructions and Extrinsic Evidence [Patent Rule 3(b)]	21 days after deadline to exchange proposed claim construction terms		
Deadline to Submit Joint Claim Construction and Prehearing Statement, and Expert Reports [Patent Rule 3(c)]	46 days after deadline to exchange proposed claim construction terms		
Claim Construction Discovery Cut-Off [Patent Rule 3(d)]	76 days after deadline to exchange proposed claim construction terms		
Deadline to File Opening Claim Construction Briefs [Patent Rule 3(e)(i)]	91 days after deadline to exchange proposed claim construction terms		
Deadline to File Responsive Claim Construction Briefs [Patent Rule 3(e)(ii)]	105 days after deadline to exchange proposed claim construction terms		
Deadline to File Reply Claim Construction Briefs [Patent Rule 3(e)(iii)]	112 days after deadline to exchange proposed claim construction terms		
Deadline to Serve Damages Contentions [Patent Rule 2(h)]	109 days after scheduling conference		
Deadline to Serve Responsive Damages Contentions [Patent Rule 2(i)]	139 days after scheduling conference		

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Deadline to Complete Damages Contentions Meeting (Patent Rule 2(j))	199 days after scheduling conference		
Fact Discovery Cut-Off [Friday] (no later than deadline for filing dispositive motion)	21 weeks before FPTC		
Expert Disclosure (Initial)	20 weeks before FPTC		
Expert Disclosure (Rebuttal)	18 weeks before FPTC		
Expert Discovery Cut-Off	16 weeks before FPTC		
Last Date to Hear Motions [Friday] <ul style="list-style-type: none"> Joint Brief due at least 28 days before hearing Supplemental Memoranda (if any) due 14 days before hearing 	9 weeks before FPTC		
Deadline to Complete Settlement Conference [L.R. 16-15] Select one: <input type="checkbox"/> 1. Magistrate Judge (with Court approval) <input type="checkbox"/> 2. Court Mediation Panel <input type="checkbox"/> 3. Private Mediation	5 weeks before FPTC		
<u>Trial Filings</u> (first round) [Friday] <ul style="list-style-type: none"> Motions <i>in Limine</i> Memoranda of Contentions of Fact and Law [L.R. 16-4] Witness Lists [L.R. 16-5] Joint Exhibit List [L.R. 16-6.1] Joint Status Report Regarding Settlement Proposed Findings of Fact and Conclusions of Law [L.R. 52] (bench trial only) Declarations Containing Direct Testimony, if ordered (bench trial only) 	4 weeks before FPTC		
<u>Trial Filings</u> (second round) [Friday] <ul style="list-style-type: none"> Oppositions to Motions <i>in Limine</i> Joint Proposed Final Pretrial Conference Order [L.R. 16-7] Joint Agreed Upon Proposed Jury Instructions (jury trial only) Disputed Proposed Jury Instructions (jury trial only) Joint Proposed Verdict Forms (jury trial only) Joint Proposed Statement of the Case (jury trial only) Proposed <i>Voir Dire</i> Questions, if any (jury trial only) Evidentiary Objections to Declarations of Direct Testimony (bench trial only) 	2 weeks before FPTC		

FOIA ACTION SCHEDULE OF PRETRIAL DATES WORKSHEET

Please complete this worksheet jointly and file it with your Joint Rule 26(f) Report.
The parties must make every effort to agree on dates or the Court will set them.

Case No.	Case Name:			
Event <u>Note:</u> Hearings shall be on Fridays at 1:30 p.m. Other dates can be any day of the week.		Time Computation	Pl(s)' Date mm/dd/yyyy	Def(s)' Date mm/dd/yyyy
Last Date to <u>Hear</u> Motion to Amend Pleadings or Add Parties [Friday]		91 days after scheduling conference		
Last Date to <u>Hear</u> Motions [Friday] <ul style="list-style-type: none">• Joint Brief due at least 28 days before hearing• Supplemental Memoranda (if any) due 14 days before hearing		10–15 months after scheduling conference		

ERISA ACTION SCHEDULE OF PRETRIAL AND TRIAL DATES WORKSHEET

Please complete this worksheet jointly and file it with your Joint Rule 26(f) Report.
The parties must make every effort to agree on dates or the Court will set them.

Case No.	Case Name:		
Trial and Final Pretrial Conference Dates		Pl(s)' Date mm/dd/yyyy	Def(s)' Date mm/dd/yyyy
Bench Trial [Friday at 1:30 p.m. within 10–12 months of Scheduling Conference] Estimated Duration: _____ Days			
Event <u>Note:</u> Hearings shall be on Fridays at 1:30 p.m. Other dates can be any day of the week.		Time Computation	Pl(s)' Date mm/dd/yyyy
Last Date to <u>Hear</u> Motion to Amend Pleadings or Add Parties [Friday]		91 days after scheduling conference	
Lodge Administrative Record & Plan Documents		63 days after scheduling Conference	
Fact Discovery Cut-Off (if necessary) [Friday] (no later than deadline for filing dispositive motion)		24 weeks before trial	
Last Date to <u>Hear</u> Motions [Friday] <ul style="list-style-type: none"> Joint Brief due at least 28 days before hearing Supplemental Memoranda (if any) due 14 days before hearing 		16 weeks before trial	
Deadline to Complete Settlement Conference [L.R. 16-15] <u>Select one:</u> <input type="checkbox"/> 1. Magistrate Judge (with Court approval) <input type="checkbox"/> 2. Court Mediation Panel <input type="checkbox"/> 3. Private Mediation		9 weeks before trial	
File & Exchange Opening Trial Briefs		8 weeks before trial	
File & Exchange Responsive Trial Briefs (not to exceed 15 pages)		4 weeks before trial	